

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

COURTNEY ROBINSON,

Case No. 23-CV-3369 (PJS/DLM)

Plaintiff,

v.

ORDER

STATE OF MINNESOTA; MINNESOTA
DEPARTMENT OF CORRECTIONS; PAUL
SCHNELL, DOC Commissioner, in his
official capacity; JEFFREY C. ANDERSON,
Correctional Officer, in his individual and
official capacities,

Defendants.

Jeffrey M. Montpetit, SIEBENCAREY, for plaintiff.

Amanda E. Prutzman, OFFICE OF THE MINNESOTA ATTORNEY
GENERAL, for defendants State of Minnesota, Minnesota Department of
Corrections, and Paul Schnell.

Plaintiff Courtney Robinson brought this action alleging that defendant Jeffrey Anderson, a correctional officer, subjected her to various forms of sexual misconduct and retaliation. This matter is before the Court on the motion to dismiss of defendants State of Minnesota, Minnesota Department of Corrections, and Paul Schnell (“the State defendants”).

The State defendants filed their motion on November 9, 2023. ECF No. 6. Under the Local Rules of this District, Robinson’s response was therefore due on or before

November 30, 2023. D. Minn. L.R. 7.1(c)(2) (“Within 21 days after filing of a dispositive motion and its supporting documents under LR 7.1(c)(1), the responding party must file and serve” responsive documents). That deadline passed over two weeks ago without any filing or other contact from Robinson. On December 14, 2023, the State defendants filed a notice stating that, in light of Robinson’s failure to respond to their motion by the November 30 deadline, they would not be filing a reply. ECF No. 15. Again, Robinson has not contacted the Court since this filing. As Robinson is clearly on notice that her response is overdue, the Court treats the State defendants’ motion as unopposed and grants it.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein,
IT IS HEREBY ORDERED THAT:

1. The motion to dismiss of defendants State of Minnesota, Minnesota Department of Corrections, and Paul Schnell [ECF No. 6] is GRANTED.
2. All of plaintiff’s claims against defendants State of Minnesota and Paul Schnell are DISMISSED WITH PREJUDICE.
3. Counts IV, V, VI, and VII of plaintiff’s complaint [ECF No. 1-1] are DISMISSED WITH PREJUDICE as to defendant Minnesota Department of Corrections.

4. The December 29, 2023, hearing on defendants' motion is CANCELED.

Dated: December 18, 2023

s/Patrick J. Schiltz

Patrick J. Schiltz, Chief Judge
United States District Court